4

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,756	07/24/2001	Ahsan I. Raja	1532.1001	2675

21171	7590	02/07/2006

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER
NGUYEN, NGA B

ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/910,756	RAJA, AHSAN I.
	Examiner	Art Unit	
	Nga B. Nguyen	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>31 October 2005</u>.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-11</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-11</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is the answer to the communication filed on October 31, 2005,

which paper has been placed of record in the file.

2.   Claims 1-11 are pending in this application.

Response to Arguments/Amendment

3.   Applicant's arguments with respect to claims 1-11 have been considered but

are moot in view of new grounds of rejection.

4.   Applicant's amendment necessitated the new grounds of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 2 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Fite et al (hereinafter Fite), U.S. Patent No. 6,467,684.

Regarding to claim 1, Fite discloses an electronic transaction system, comprising:

bearer bond means for providing an online electronic bearer bond having a

monetary value without linking the online electronic bearer bond to identity of a specific

user (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a

monetary value and an associated unique identity number; column 1, lines 52-67, the

system allows the purchaser to execute electronic transactions by providing the identity

number of the cash card, the identity number is then compared to the identity number

stored in the host database to validate the purchase, thus the system allows the

purchaser to execute electronic transactions using the cash card and without linking the

cash card to identity of a specific purchaser);

transaction means for performing monetary transactions with said bearer bond

means (column 4, lines 44-50, the merchant website allows the purchaser to purchase

goods or services using the cash card); and

network means for providing user access to said bearer bond means and said

transaction means (column 4, lines 1-5, 39-43, the customer can purchase virtual cash

card over the network; the customer having the computer connected to the Internet and

will browse the merchant websites to purchase goods or services).

Fite does not disclose applying bearer bond means as a payment using existing

payment protocols. However, applying pre-paid card as a payment using existing

payment protocols is well known in the art. For example, many merchants allow the

purchaser to pay for the products purchased using many different payment options such

as paying by credit card, debit card, prepaid card, in case the purchase pays by prepaid

card, the merchant uses the existing payment protocols to process the payment the

same as processing payments using credit card and debit card. Therefore, it would

have been obvious to one with ordinary skill in the art at the time the invention was

made to apply Fite's method of using prepaid card to pay for products purchased, for

the purpose of providing more convenient for the purchaser, who cannot obtain credit

card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 2, Fite discloses an electronic apparatus adapted for

exchanging currency over a network comprising:

an electronic document used for performing transactions, the electronic document

being provided without linking the electronic document to identity of a specific user and

said transactions containing data information associated with said electronic document

(figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a monetary

value and an associated unique identity number; column 1, lines 52-67, the system

allows the purchaser to execute electronic transactions by providing the identity number

of the cash card, the identity number is then compared to the identity number stored in

the host database to validate the purchase, thus the system allows the purchaser to

execute electronic transactions using the cash card and without linking the cash card to

identity of a specific purchaser); and

a database processing and storing said data information to perform said

transactions over said network (column 2, lines 10-37, the host computer having a

database for storing the identity numbers of the cash cards, the host computer

compares the identity numbers submitted by the purchasers with the identity numbers

stored in the database to validate the purchase).

Fite does not disclose applying bearer bond means as a payment using existing

payment protocols. However, applying pre-paid card as a payment using existing

payment protocols is well known in the art. For example, many merchants allow the

purchaser to pay for the products purchased using many different payment options such

as paying by credit card, debit card, prepaid card, in case the purchase pays by prepaid

card, the merchant uses the existing payment protocols to process the payment the

same as processing payments using credit card and debit card. Therefore, it would

have been obvious to one with ordinary skill in the art at the time the invention was

made to apply Fite's method of using prepaid card to pay for products purchased, for

the purpose of providing more convenient for the purchaser, who cannot obtain credit

card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 8, Fite discloses an electronic transaction system, comprising:

an electronic online bearer bond having a monetary value, the electronic online

bearer bon being provided without being linked to identity of a specific user (figures 2-3;

column 2, line 60-column 3, line 10, the cash card 20 having a monetary value and an

associated unique identity number; column 1, lines 52-67, the system allows the

purchaser to execute electronic transactions by providing the identity number of the

cash card, the identity number is then compared to the identity number stored in the

host database to validate the purchase, thus the system allows the purchaser to

execute electronic transactions using the cash card and without linking the cash card to

identity of a specific purchaser) ;

a database for performing monetary transactions with said electronic online

bearer bond (column 2, lines 10-37, the host computer having a database for storing the

identity numbers of the cash cards, the host computer compares the identity numbers .

submitted by the purchasers with the identity numbers stored in the database to validate

the purchase);

a network for providing user access to said electronic online bearer bond and said

and database (column 4, lines 1-5, 39-43, the customer can purchase virtual cash card

over the network; the customer having the computer connected to the Internet and will

browse the merchant websites to purchase goods or services).

Fite does not disclose applying bearer bond means as a payment using existing

payment protocols. However, applying pre-paid card as a payment using existing

payment protocols is well known in the art. For example, many merchants allow the

purchaser to pay for the products purchased using many different payment options such

as paying by credit card, debit card, prepaid card, in case the purchase pays by prepaid

card, the merchant uses the existing payment protocols to process the payment the

same as processing payments using credit card and debit card. Therefore, it would

have been obvious to one with ordinary skill in the art at the time the invention was

made to apply Fite's method of using prepaid card to pay for products purchased, for

the purpose of providing more convenient for the purchaser, who cannot obtain credit

card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 9, Fite discloses a method of executing an electronic

transaction via an electronic transaction system using an interactive electronic bearer

document, comprising:

issuing the interactive electronic bearer document that has monetary value and

assigning verification information to the issued interactive electronic bearer document

without linking the verification information to identity of a specific user (figures 2-3;

column 2, line 60-column 3, line 10, the cash card 20 having a monetary value and an

associated unique identity number; column 1, lines 52-67, the system allows the

purchaser to execute electronic transactions by providing the identity number of the

cash card, the identity number is then compared to the identity number stored in the

host database to validate the purchase, thus the system allows the purchaser to

execute electronic transactions using the cash card and without linking the cash card to

identity of a specific purchaser); and

executing the electronic transaction using the issued interactive electronic bearer

document as a form of payment upon presentation of the assigned verification

information (column 2, lines 10-37, the host computer having a database for storing the

identity numbers of the cash cards, the host computer compares the identity numbers

submitted by the purchasers with the identity numbers stored in the database to validate

the purchase).

Fite does not disclose applying bearer bond means as a payment using existing

payment protocols. However, applying pre-paid card as a payment using existing

payment protocols is well known in the art. For example, many merchants allow the

purchaser to pay for the products purchased using many different payment options such

as paying by credit card, debit card, prepaid card, in case the purchase pays by prepaid

card, the merchant uses the existing payment protocols to process the payment the

same as processing payments using credit card and debit card. Therefore, it would

have been obvious to one with ordinary skill in the art at the time the invention was

made to apply Fite's method of using prepaid card to pay for products purchased, for

the purpose of providing more convenient for the purchaser, who cannot obtain credit

card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 10, Fite discloses a method of executing an electronic

transaction via an electronic transaction system suing an interactive electronic bearer

document, comprising:

executing the electronic transaction using the interactive electronic bearer

document as a form of payment, where the interactive electronic bearer document is

enabled to be accessible by any user to be used as the form of payment of the

electronic transaction (figures 2-3; column 2, line 60-column 3, line 30, the cash card 20

having a monetary value and an associated unique identity number, any customer can

purchase the cash card at the vendor terminal; column 1, lines 52-67, the system allows

the purchaser to execute electronic transactions by providing the identity number of the

cash card, the identity number is then compared to the identity number stored in the

host database to validate the purchase, thus the system validates the purchase based

on the identity number of the card, not the customer's identity, therefore, the cash card

is enabled to be accessible by any customer).

Fite does not disclose applying bearer bond means as a payment using existing

payment protocols. However, applying pre-paid card as a payment using existing

payment protocols is well known in the art. For example, many merchants allow the

purchaser to pay for the products purchased using many different payment options such

as paying by credit card, debit card, prepaid card, in case the purchase pays by prepaid

card, the merchant uses the existing payment protocols to process the payment the

same as processing payments using credit card and debit card. Therefore, it would

have been obvious to one with ordinary skill in the art at the time the invention was

made to apply Fite's method of using prepaid card to pay for products purchased, for

the purpose of providing more convenient for the purchaser, who cannot obtain credit

card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 11, Fite discloses a method of creating a universally accepted

form of payment for an electronic transaction, comprising:

receiving an electronic document having a first form of payment for the electronic

transaction from a user, the electronic document being non-specific to identity of the

user (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a

monetary value and an associated unique identity number; column 1, lines 52-67, the

system allows the purchaser to execute electronic transactions by providing the identity

number of the cash card, the identity number is then compared to the identity number

stored in the host database to validate the purchase, thus the system allows the

purchaser to execute electronic transactions using the cash card and without linking the

cash card to identity of a specific purchaser).

Fite does not disclose converting value of the first form of payment into a

universally accepted form of payment for use with a merchant system having a second

form of payment in current use to execute the electronic transaction. However, such

feature is well known in the art. . For example, many merchants allow the purchaser to

pay for the products purchased using many different payment options such as paying by

credit card, debit card, prepaid card, in case the purchase pays by prepaid card, the

merchant uses the existing payment protocols to process the payment the same as

processing payments using credit card and debit card. Therefore, it would have been

obvious to one with ordinary skill in the art at the time the invention was made to apply

Fite's method of using prepaid card to pay for products purchased, for the purpose of

providing more convenient for the purchaser, who cannot obtain credit card or debit

card, still having a chance to purchase products he/she desired.

7.   Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Boesch et al (hereinafter Boesch), U.S. Patent No. 5,897,621, in view Fite et al

(hereinafter Fite), U.S. Patent No. 6,467,684.

Regarding to claim 3, Boesch discloses a method for creating a universally

accepted form of payment using an electronic transaction system, comprising:

selecting an item costing a first value in a first currency (column 7, lines 7-18, the

customer pays an amount to the merchant for a selected product using the customer

selected currency that is different than the merchant accepted currency);

converting the first value in the first currency into a second value in a second

currency (column 8, lines 25-38, the customer selected currency is converted into the

merchant accepted currency); and

executing an electronic transaction by using the second value of the second

currency as payment for the item (column 8, lines 40-48 and column 14, lines 50-63, the

merchant will receive the price in the merchant selected currency).

Boesch does not disclose executing the electronic transaction without linking

identity of parties to execute the electronic transaction. However, Fite discloses

executing the electronic transaction without linking identity of parties to execute the

electronic transaction (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20

having a monetary value and an associated unique identity number; column 1, lines 52-

67, the system allows the purchaser to execute electronic transactions by providing the

identity number of the cash card, the identity number is then compared to the identity

number stored in the host database to validate the purchase, thus the system allows the

purchaser to execute electronic transactions using the cash card and without linking the

cash card to identity of a specific purchaser). Therefore, it would have been obvious to

one with ordinary skill in the art at the time the invention was made to modify the system

of Boesch to adopt the teaching of Fite for the purpose of enhancing the security

because purchasing over the Internet using the cash card in Fite does not require the

customer transmits any information related to the customer.

Boesch and Fite do not disclose applying bearer bond means as a payment using

existing payment protocols. However, applying pre-paid card as a payment using

existing payment protocols is well known in the art. For example, many merchants allow

the purchaser to pay for the products purchased using many different payment options

such as paying by credit card, debit card, prepaid card, in case the purchase pays by

prepaid card, the merchant uses the existing payment protocols to process the payment

the same as processing payments using credit card and debit card. Therefore, it would

have been obvious to one with ordinary skill in the art at the time the invention was

made to apply Boesch's modified by Fite method of using prepaid card to pay for

products purchased, for the purpose of providing more convenient for the purchaser,

who cannot obtain credit card or debit card, still having a chance to purchase products

he/she desired.

Regarding to claims 4-6, Boesch discloses wherein a credit card is not used as

payment for the item, a bank account is not used as payment for the item, an electronic

bearer document is used as payment for the item (column 1, lines 5-15, the electronic

cash is used as payment for the item).

Regarding to claim 7, Boesch discloses wherein the first and second currencies are hard currencies (column 4, lines 33-45, e.g. U.S. dollars, French francs).

Conclusion

8.   Claims **1-11** are rejected.

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

10.   Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

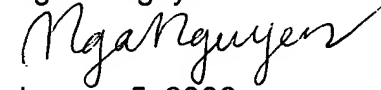(703) 872-9306 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany

Street, Alexandria, VA, First Floor (Receptionist).

Nga B. Nguyen

January 5, 2006